

FILED BY

Leslie Aronson

Executive Director

LJA 10/2/14

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STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
BOARD OF SOCIAL WORK EXAMINERS

IN THE MATTER OF	:	
	:	
ROCHELLE PRESBY, LCSW	:	Administrative Action
	:	CONSENT ORDER
Certified/Licensed to	:	
Practice Social Work in	:	
the State of New Jersey	:	

This matter was opened to the State Board of Social Work Examiners ("Board") upon a complaint received from K.S. regarding the social work practice of Rochelle Presby ("respondent"), a Licensed Clinical Social Worker ("LCSW"). Specifically, K.S. states that respondent provided marital counseling services for himself and his wife. When K.S.'s wife filed for divorce, K.S. alleges that respondent divulged confidential information obtained during the course of therapy; she openly sided with K.S.'s wife in the religious community where respondent, K.S. and his wife live; and she initiated an effort to raise funds for K.S.'s wife.

The Board reviewed and considered the response of respondent, documents from the agency where the therapy was provided, and a

letter of August 28, 1997, written and signed by respondent. The letter is addressed to "To Whom It May Concern", and it divulges confidential information about K.S., as well as his wife, which respondent obtained during the course of therapy. Respondent, through her attorney Patrick Callahan, Esq., explained that during the divorce process, K.S.'s wife, a non-native English speaker, requested that respondent write a letter explaining the marital situation so that the wife could communicate more effectively with her attorney. Therefore, respondent wrote the August 28, 1997 letter which was submitted to the court by the wife's attorney as an exhibit in support of the divorce complaint. The August 28, 1997 letter is a breach of confidentiality in violation of N.J.A.C. 13:44G-12.3, and as such, the preparation and dissemination of that letter is professional misconduct pursuant to N.J.S.A. 45:1-21 e.

It appearing that the respondent desires to resolve this matter without further proceedings, and the Board finding the entry of the Consent Order to be in the public interest,

IT IS ON THIS 20th DAY OF October 1999,

HEREBY ORDERED AND AGREED THAT

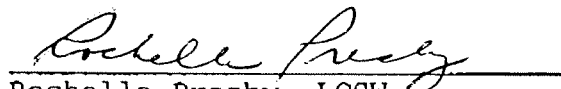
1. Respondent is hereby reprimanded for her breach of confidentiality in her August 28, 1997 letter.
2. Respondent shall cease and desist from any acts which may divulge confidential information obtained during the course of therapy.
3. Respondent is hereby assessed a civil penalty in the amount of \$500.00 for her breach of confidentiality. Said penalty shall be paid by certified check or money order made payable to the

State of New Jersey and submitted to the Leslie Aronson, Executive Director, State Board of Social Work Examiners, 124 Halsey Street, Sixth Floor, New Jersey 07101, within fourteen days of the entry of the within Consent Order.

NEW JERSEY STATE BOARD OF
SOCIAL WORK EXAMINERS


Mariagnes Lattimer, MSW, LCSW
President

I have read the within Consent Order and understand its terms. I hereby consent to its entry and to be bound by the Consent Order's terms.


Rochelle Presby, LCSW